

HOUSE BILL NO. 1119

Introduced by

Industry, Business and Labor Committee

(At the request of the Office of Management and Budget)

1 A BILL for an Act to create and enact a new section to chapter 32-12.2 of the North Dakota
2 Century Code, relating to providing voluntary liability coverage to student drivers driving
3 vehicles owned or leased by the state of North Dakota as part of a course of curriculum.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 32-12.2 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Student required driving in educational programs.**

8 Upon request by any state institution of higher education, the office of management and
9 budget, through the risk management fund, shall provide a defense and administer claims
10 against students arising from the operation of a vehicle owned or leased by the state the
11 operation of which is a required part of an established course of study. Liability shall be limited
12 to the required amounts of financial responsibility contained in section 39-16.1-02. Nothing in
13 this chapter makes the state responsible for the actions of the student or requires
14 indemnification for any loss beyond the limits provided in this section, nor provides any benefits
15 to the student except those minimum levels undertaken in a program of self-insurance filed
16 under section 26.1-41-05. In order to obtain protections under this section, a student must
17 provide complete disclosure and cooperation in the defense of any claim. A defense shall be
18 provided by or under the control of the attorney general or the attorney general's designee. A
19 student may choose to hire the student's own attorney to defend any claim, but in the event the
20 student chooses to hire separate defense counsel, the protections afforded under this section
21 do not apply.